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VIA E.C.F

November 11, 2021

Honorable Valerie Caproni
United States District Court
Southern District
40 Foley Square
New York, New York 10007

**Re: U.S.A. v. Michael Lillo
20 Cr. 536 (VEC)
Letter Motion to be Relieved**

Dear Judge Caproni:

As you are aware I represent Michael Lillo who is currently scheduled to be sentenced on December 13, 2021. I am respectfully requesting to be relieved as the attorney for Mr. Lillo and that he be appointed a CJA attorney. The reason for this request is that there has been a complete breakdown in communications between Mr. Lillo and myself. When I last saw him at the MDC (approximately three weeks ago) he refused to allow me to review the presentence investigation report and expressed a desire to make a motion to withdraw his plea. Without divulging any conversations that are privileged, there were other statements made which would make it necessary for new counsel to be appointed. Mr. Lillo is incarcerated and his family has indicated they are not in a position to hire private counsel.

I am respectfully requesting that I be relieved as counsel and new counsel be appointed for Mr. Lillo. I have been practicing law for over thirty years and I have not previously had to make this request.

I have communicated with A.U.S.A Jacob Fiddelman and the Government does not take a position regarding my request. Thank you for your anticipated cooperation.

Sincerely,



Brian I. Kaplan